

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

DISTRICT OF NH
FILED

2020 JUL -6 P 9:07

24 HOUR DEPOSITORY

Sensa Verogna, Plaintiff,

v.

Twitter Inc., Defendant.

Case #: 1:20-cv-00536-SM

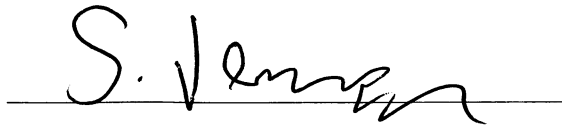
**PLAINTIFF'S REPLY AND MEMORANDUM OF LAW TO TWITTER, INC.'S
OBJECTION TO PLAINTIFF'S MOTION TO PROCEED ANONYMOUSLY**

1. Plaintiff, respectfully Replies to Defendant's Objection [Doc. 27], to Plaintiffs Motion to Proceed Anonymously [Doc. 15]. In support of his reply to the objection, Plaintiff states as follows:

2. Plaintiff, pro se and proceeding anonymously as, Sensa, a father of 4 children, with 2 under the age of 5, respectfully moves this Court for an order permitting him to proceed anonymously so as to protect his identity from public disclosure for reasons of justifiable fear of others dangerous reactions or actions towards my family or myself and where there is a serious risk of harm. Plaintiff submits the following Memorandum of Law in support of his motion.

3. Defendants' Default is "an admission of the facts cited in Plaintiff's Complaint, See Pitts ex rel. Pitts v. Seneca Sports, Inc., 321 F. Supp.2d 1353, 1357 (S.D. Ga. 2004); see also Nishimatsu Constr. Co. v. Houston Nat'l Bank, 515 F.2d 1200, 1204 (5th Cir. 1975), and is sufficient to establish Defendants liability on Plaintiffs stated legal theories in his claims. Here, the Plaintiff has established that Defendants were at the times alleged in the Complaint, a Public Accommodation, a Public Forum, and a State Actor under law, through the well pled facts in his Complaint.

Respectfully,

A handwritten signature in black ink, appearing to read "S. Verogna", is written over a horizontal line.

/s/ Plaintiff, Anonymously as Sensa Verogna

SensaVerogna@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July 2020, the foregoing document was made upon the Defendant, through its attorneys of record to Jonathan M. Eck jeck@orr-reno.com and Julie E. Schwartz, Esq., JSchwartz@perkinscoie.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Sensa Verogna, Plaintiff,)
v.)
Twitter Inc., Defendant.)

Case #: **1:20-cv-00536-SM**

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S REPLY TO
TWITTER, INC.'S OBJECTION TO PLAINTIFF'S MOTION TO PROCEED
ANONYMOUSLY**

1. Plaintiff has kept his name confidential. [Doc. 15, Deposition @3]
2. Disclosure feared out of the concern for young children, not related to the case.
[Doc. 15, Deposition @4]
3. Public interest lately has just been to gang up against anyone who doesn't share
their views. [Doc. 15, 7-15] [Doc. 15, Deposition @6]
4. The Plaintiff could and would testify competently if needed. [Doc. 15,
Deposition @1]
5. Plaintiff has no illegitimate ulterior motives. [Doc. 15, Deposition @5 and 7]
6. There has been no opposition to the use of pseudonym by counsel, the public, or
the press. [Doc. 15, Deposition @6]
7. Here there are no factors disfavoring anonymity such as;
(1) the universal level of public interest in access to the identities of litigants;
[Doc. 15, Deposition @6]
(2) The Plaintiff is not a public figure. [Doc. 15 @ 20, Declaration @ 5]
(3) There has been no opposition to the use of pseudonym by counsel, the public,
or the press. [Doc. 15, Deposition @6]

30 8. Courts have granted motions similar to Plaintiffs, including; Order, Doe v. Corr.
31 Corp. of Am., No. 3:15-cv-68 (M.D. Tenn. Jan. 27, 2015), ECF No. 11 (placing the words
32 “ORDER: Motion granted,” with the magistrate judge’s signature, in the upper-right-hand margin
33 of Plaintiff’s Motion for Protective Order); Order, Patient A v. Vt. Agency of Human Servs., No.
34 5:14-cv-206-GWC (D. Vt. Oct. 27, 2014), ECF No. 3 (granting the plaintiff’s motion to proceed
35 under a pseudonym in a text order on the docket). See, e.g., United States v. Doe, Nos. 13-50614
36 & 14-50015, 2015 WL 3483962, at *1 n.1 (9th Cir. Jun. 3, 2015) (stating “[w]e grant defendant
37 appellant’s motion to refer to him by a pseudonym in this disposition,”); (“In the vast majority of
38 pertinent cases the courts have allowed, and perhaps sometimes disallowed, pseudonymity without
39 analysis and consideration of the competing interests in access. If analysis was done, it was not
40 reflected in published opinions.”) See United States v. Doe, 778 F.3d 814, 817 n.1 (9th Cir. 2015)
41 (granting defendant’s motion for pseudonymity because “the defendant may face ‘a risk of serious
42 bodily harm if his role on behalf of the Government were disclosed to other inmates”).

43 For these reasons and such other reasons as may appear just to the Court,

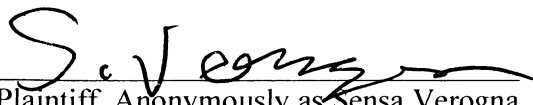
44 Plaintiff PRAYS THAT:

45 1. Plaintiff be allowed to continue proceeding anonymously as Sensa Verogna
46 and that the Court issue a protective order or gag order to keep his family safe from even the
47 slightest bit of harm.

48 2. In all publicly-filed documents, Plaintiff’s true actual name shall only be
49 identified as Sensa Verogna;

50 3. Under no other circumstances shall any party or any other person
51 intentionally disclose Plaintiff, proceeding as Sensa Verogna’s, identity without his written
52 consent.

Respectfully,


/s/ Plaintiff, Anonymously as Sensa Verogna
SensaVerogna@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July 2020, the foregoing document was made upon the Defendant, through its attorneys of record to Jonathan M. Eck jeck@orr-reno.com and Julie E. Schwartz, Esq., JSchwartz@perkinscoie.com